

amendment for consideration. The previous unsigned draft is not to receive consideration.

2. In accordance with 37 CFR 1.125(b), applicant has prepared a Substitute Specification for voluntary filing. The Substitute Specification includes no new matter. Applicant has provided a Substitute Specification Marked-Up Copy as well as the Substitute Specification Clean Copy. In the Substitute Specification Marked-Up Copy, deletions from the specification of record are indicated by the yellow highlighted areas and additions to the specification of record are indicated by typewritten entries.

3. Though not required by the Office Action, the Substitute Specification was prepared for the following reasons: for consideration of the prior restriction of claims to a method as well as the amended claims, such that the title, abstract and specification are consistent with the restriction of claims and amended claims; to clarify terms and citations applied in the specification of record, the need for such clarification becoming apparent upon Applicant's re-review of the specification of record; to render the specification format consistent with patent application practice; to eliminate excessive redundancy; and to distinguish the invention from prior art for detection of acid reflux. The drawing figures of the specification of record are not changed and are included in the Substitute Specification.

4. Claims 1-2, 16-18, 21-23 and 24-25 of the original application are cancelled.

5. Subject matter of Claims 3-15 and 19-20 of the original application is addressed in the Amendment by rewritten Claims 40 through 49. Claim 40 and subsequent dependent claims 41 through 49 have been rewritten as referring to a method for collecting and analyzing a sample from the pharynx for pH, to determine the presence and extent of gastroesophageal reflux. The applicant appreciates the comments in the Office Action and the provided cited reference in formulating the Amendment.

Conditional Request for Constructive Assistance

If the Examiner does not feel that one or more of the present claims are technically adequate in response to the objections of the Office Action, pursuant to MPEP 707.07(j) applicant respectfully requests that the examiner provide assistance in writing acceptable claims.

Very respectfully,



Richard S. Blume, M.D.
18 Beach Avenue
Northport, NY 11768